

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROCHELLE COHEN,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	11 Civ. 0456 (RA)(GWG)
	:	
BANK OF NEW YORK MELLON CORPORATION,	:	ECF Case
	:	
Defendant.	:	

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**AFFIDAVIT OF LLOYD S. CLAREMAN IN SUPPORT OF
DEFENDANT’S MOTION FOR SUMMARY JUDGMENT**

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

LLOYD S. CLAREMAN, being duly sworn, deposes and says:

1. I am the attorney for defendant The Bank of New York Mellon Corporation (“BNY Mellon”) in the above-captioned action, and I am submitting this affidavit in order to supply the Court with copies of the various deposition excerpts, deposition exhibits, and other documents produced in this action that are cited in the Memorandum of Law in Support of Defendant’s Motion for Summary Judgment (“Defendant’s Brief”), submitted herewith.

Deposition Transcripts

2. The following is a list, in alphabetical order by last name, of the deponents whose testimony is cited in Defendant’s Brief. The relevant transcript excerpts are attached hereto as Exhibits A through J, as shown on the below list. Pursuant to Court rules, an electronic copy of the full transcripts will be delivered separately, on CD.

Ex.	Deponent
A	Boyle, Anne
B	Cear, James
C	Cohen, Rochelle
D	Crocker, Russell
E	Crowe, Patrick
F	Kandt, Lillian
G	McEleney, Kathleen
H	Meister, Doris
I	Mitchell, Meredith
J	Park, Christine

Cohen Deposition Exhibits

3. The exhibits to the deposition of plaintiff Rochelle Cohen that are cited in Defendant's Brief are attached hereto as Exhibit K. In order to make it easier to navigate to a particular exhibit in the Court's courtesy copies, a numbered tab with the number corresponding to the particular Cohen Exhibit number will be found behind Exhibit K, so that, *e.g.*, numbered Tab 2 has behind it Cohen Exhibit 2; these exhibits are cited in the Defendant's Brief as, *e.g.*, "LSC Aff. K-2". The following Cohen deposition exhibits are attached behind the corresponding numbered tabs or cover sheets: 2, 4, 5, 9, 11, 12, 13, 17, 18, 19, 20, 21, 22, 23, 24, 25, 29, 30, 31, 35, and 37. For the Court's ease of reference, a table that identifies the nature of each document appears on the page right behind the Exhibit K tab or cover sheet.

Additional Documentary Evidence

4. The following business records of BNY Mellon (identified by Bates number range and brief description) were produced during discovery in this case and are attached hereto:

Exhibit L: BNY 1551-52 (post-merger team structure)

Exhibit M: BNY 1953-56 (2009 compensation data)

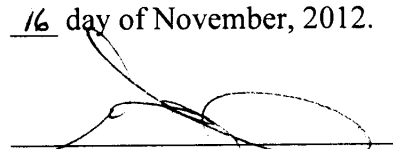
Exhibit N: BNY 3767-72 (2008-10 Assets Under Management/Account Data)

First Amended Complaint

5. Finally, for the Court's ease of reference, a copy of plaintiff's operative pleading, the First Amended Complaint, is attached hereto as Exhibit O. Plaintiff's counsel has advised the Court and the undersigned counsel, in writing, that the age discrimination claims set forth therein (the Eighth, Ninth, and Tenth Causes of Action) are no longer being pursued.


LLOYD S. CLAREMAN

Sworn to before me this
16 day of November, 2012.


Notary Public

ANTHONY I. INDELICATO
Notary Public, State Of New York
No. 011N6036803
Qualified In Kings County
Commission Expires Aug. 27, 2005
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